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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,821

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EXAMINER

CARTER, WILLIAM JOSEPH

ART UNIT

PAPER NUMBER

2875

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/27/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/528,821	Applicant(s) KRAMER ET AL.	
	Examiner William J. Carter	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-28 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 11, 12, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lowell et al. (4,782,428).

With respect to claim 1, Lowell teaches an illumination device (Fig. 10) comprising at least two electrical panel lamp modules (12 plus bulbs 30) each comprising a module housing (10), whose housing depth is small compared with the light emitting front side of the panel lamp module (Fig. 1), the module housing comprising: a lamp housing (32); and a lamp frame (50-68 in Fig. 3); wherein the lamp frame has a greater depth than the lamp housing (Fig. 1, items 50 extend beyond the ends of items 32) and surround the lamp housing on the outside (Fig. 1) and comprises several arms (60) in which assembly bores (62 and 68) are disposed spaced apart to each other (Fig. 3); and wherein for modular expansion the assembly bores of an arm of the several arms align with the assembly bores in an arm of an adjoining lamp from such that connecting elements (56, 58, 66) are insertable through the assembly bores to connect the lamp frames by way of a force-locking engagement (Fig. 9 and column 6, lines 34-48).

As for claim 2, Lowell teaches the lamp housing (32) closes on its front side flush with the lamp frame (column 4, lines 12-15, items 50 of the lamp frame (Fig. 3 excluding items 32) can be pivoted until they are flush with the lamp housing 32).

As for claim 3, Lowell shows (Fig. 1) the lamp housing (32) inserted into the lamp frame (Fig. 3 excluding items 32).

As for claim 8, Lowell teaches on a rear wall (rear wall of 32) of the lamp housing (32) there is at least one contact element (38) and at least one contact receiver element (socket for 38) for controlling and supplying current to the panel lamp module (via 14).

As for claim 11, Lowell teaches the panel lamp modules (12 plus bulbs 30) can be connected to a power supply module (14) through cable connections (40).

As for claim 12, Lowell teaches the electrical panel lamp modules (12 plus bulbs 30) which are arranged modular in a row (Fig. 10) can be controlled individually (via 14 in Fig. 10 and column 3, lines 62-66).

As for claim 13, Lowell teaches contact elements (38 on each panel 12 plus bulbs 30) having a number of contacts for the individual control and power supply (14) of the individual electrical panel lamp modules (12 plus bulbs 30) arranged in series which corresponds to the number of electrical panel lamp modules which are arranged in series (Fig. 10).

As for claim 14, Lowell teaches contact elements (38 on each panel 12 plus bulbs 30) have power supply contacts connected to the power supply module (14), and a control (column 3, lines 62-68) through which the electrical panel lamp modules (12

plus bulbs 30) arranged in series can be addressed and controlled individually (Fig. 10 and column 3, lines 62-66).

As for claim 15, Lowell teaches an electrical switch (14 and column 3, lines 62-66) assigned to each panel lamp module (12 plus bulbs 30) for individual activation of the panel lamp modules (Fig. 10).

As for claim 16-23, Lowell teaches a lamp frame (Fig. 3 excluding items 32) can be connected to the light emitting front side of the lamp housing to an accessory frame (32) for holding a filter, shutter, color foil or the like (column 2, lines 14-18); the accessory frame (44) is connected to the lamp frame (Fig. 3 excluding items 32) and can be unfolded away from the lamp frame (column 4, lines 3-5); the lamp frame (Fig. 3 excluding items 32) can be connected to a holder (2) which holds the illumination device (10); the arms of the lamp frame preferably have in the middle a positive locking or force locking engagement element (54) and the holder consists of a supporting bracket (16) whose ends are provided with counter positive locking elements or counter force locking engagement elements (18b); the supporting bracket is adjustable in length (booms are inherently adjustable in length; see www.startphoto.com/learn/glossary/glossary_bi-bq.htm); a rear wall (rear wall of 32) of the lamp housing (32) is provided with a socket (socket for 38) and guide plate (54) in which a fixing element can be inserted (18b) which can be connected to a light source (30); wherein the socket and guide plate has at least two guide rails (side rails of 54) arranged on either side of an insert opening (unnumbered opening that receives item 92) and a locking element mounted (92) on the rear wall of the lamp housing in the insert direction of the fixing element in front of the

insert opening (Figs. 2, 6, and 7); characterized in that the locking element consists of a resilient pressure member (unnumbered nut on the end of item 92).

As for claims 26 and 27, Lowell teaches an illumination device (Fig. 10) comprising: a first lamp module (12 plus bulbs 30) comprising a light emitting side having a first dimension (Fig. 1) and a first module housing (12) having a depth that is smaller than the first dimension (Fig. 1), wherein the first module housing comprises, a first lamp housing (32) having a first depth (Fig. 1), and a first lamp frame (Fig. 3 excluding items 32) having a greater depth and surrounding the first lamp housing (Fig. 1), wherein the first lamp frame (Fig. 3 excluding items 32) comprises a plurality of first arms (60) defining the lamp frame (Fig. 3), wherein a plurality of first openings (62 and 68) are formed through each first arm (Fig. 3), and a second lamp module (12 plus bulbs 30) that is identical to the first (Fig. 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell.

With respect to claim 28, Lowell teaches all of the claimed elements, as discussed above, except for explicitly teaching a third lamp module identical to the first two, but it has been held that a mere duplication of parts has no patentable significance

unless a new and unexpected result is produced. See *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960). See also MPEP 2144.04(VI)(B).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell in view of Sasuga (JP-05257128-A).

With respect to claim 6, Lowell teaches all of the claimed elements, as discussed above, except for explicitly teaching spacers, preferably designed as rubber buffers and whose outer ends project beyond the lamp frame are arranged in the corner regions of the rear wall of the lamp housing opposite the light emitting front side. Sasuga, also drawn to panel lamp modules, teaches spacers, preferably designed as rubber buffers and whose outer ends project beyond the lamp frame are arranged in the corner regions of the rear wall of the lamp housing opposite the light emitting front side (Constitution). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the spacers of Sasuga in the illumination device of Lowell, in order to seal the gap between elements of the light (Constitution).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell in view of Wanuch et al. (6,203,172).

As for claim 7, Lowell teaches all of the claimed elements, as discussed above, except for explicitly teaching the lamp housing consists of a light housing for holding a planer lamp, a heat distribution plate on the rear side of the light housing opposite the light-emitting front side of the lamp house, and of a rear wall. Wanuch, also drawn to illumination devices, teaches a lamp housing (18a, 18b, 20a, and 20b) consists of a light housing (18a and 18b) for holding a lamp, a heat distribution plate on the rear side of

the light housing opposite the light-emitting front side of the lamp house, and of a rear wall (column 1, lines 29-32). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the heat distribution plate of Wanuch on the rear side of the light housing of Lowell, in order to reduce the thermal stress upon the lamp (column 1, lines 29-30).

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell in view of Wang (6,715,903).

With respect to claim 9, Lowell teaches all of the claimed elements, as discussed above, as well as Lowell further teaches the at least one contact element (38) and contact receiver element (socket for 38) are designed multi-polar and are arranged on an end side of the rear wall (Fig. 2). Lowell does not explicitly teach the rear wall of the lamp housing having a central raised region. Wang, also drawn to illumination devices, teaches a rear wall (Fig. 4) of a lamp housing (12) having a central raised region (81). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the central raised region of Wang in the illumination device, in order to a light mounting panel that is simple and inexpensive to manufacture, and quick and easy to install (column 2, lines 2-5). As for claim 10, Lowell and Wang teach all of the claimed elements, as discussed above, as well as Wang shows the raised region is rectangular. Lowell and Wang do not explicitly teach a diagonal side bridging one corner of the central raised rectangular region and the at least one contact element and contact receiver element are arranged on the diagonal side. Applicant has not disclosed that the shape is of a particular unobvious purpose, produces an unexpected result, or is

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otherwise critical. Indeed, it has been held that changing aesthetic (ornamental) design are prima facie obvious absent a disclosure that the limitations are for a particular unobvious purpose, produce an unexpected result, or are otherwise critical. See, for example, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell in view of Bolta et al. (6,139,164).

With respect to claim 24, Lowell teaches all of the claimed elements, as discussed above, except for explicitly teaching a handle formed on the side of the guide plate opposite the insert opening. Bolta, also drawn to illumination devices, teaches a handle (61) formed on a side of a guide plate (60) opposite an insert opening (openings for items 31). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the handle of Bolta on the illumination device of Lowell, in order to be able to carry the illumination device (Fig. 6).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lowell et al. (4,782,428) in view of Chen (5,592,193).

As for claim 25, Lowell teaches all of the claimed elements, as discussed above, except for explicitly teaching flat discharge lamps as the panel lamp modules. Chen, also drawn to illumination devices, teaches a flat discharge lamp (Abstract) as the panel lamp module (64_{a-j}). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the flat discharge lamps of Chen in the illumination device of Lowell, in order to provide more efficient lighting (Abstract).

Allowable Subject Matter

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach or suggest a connecting element consisting of lateral connectors, with a cylindrical connecting body, that is meant to fit into assembly bores in to connect to frames, having a stop shoulder mounted at one end, a lever, and a bolt connected to the lever and guided through the cylindrical connecting body, where a groove is formed between the end of the bolt and the end of the cylindrical connecting body, wherein the width of the groove can be changed by actuating the lever and the groove contains an elastic ring which can be expanded through compression, wherein the connecting element consist of a screw and nut which can be screwed thereto.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Although the Applicant states, in the Remarks, "claims 1-25 have been amended for clarity," the amendments change the examiner's interpretation of the claims. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wjc
12/13/06


ALI ALAVI
PRIMARY EXAMINER